

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PHILLIP BYRD,

Petitioner,
v.

CHRIS BUESGEN,

Respondent.

ORDER

Case No. 23-cv-639-jdp

Petitioner Phillip Byrd seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, petitioner must pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than October 10, 2023. Any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately March 18, 2023 through the date of the petition, September 18, 2023.

ORDER

IT IS ORDERED that:

1. Petitioner Phillip Byrd may have until October 10, 2023, to pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee.

2. If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment before October 10, 2023, I will assume that petitioner wishes to withdraw this petition.

Entered this 18th day of September, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge